

13. Method of concealing a conduit extending and configured to convey gas from a septic system comprising:

A2
sizing the conduit; then

mounting on the conduit a leg configured to convey gas from the conduit;

wherein said leg is configured for mounting a fixture thereon.

REMARKS

The Amendment amends claims 1 and 13. The attached "VERSION WITH MARKINGS TO SHOW CHANGES MADE" shows changes made to the amended claims with deletions bracketed and additions underscored. Claims 1-19 are pending in the Application.

The Office Action rejects claims 1-19, under 35 U.S.C. §103(a), as being unpatentable over Craft *et al.* in view of Smith. The Amendment amends claims 1 and 13, from which claims 2-12 and 14-19 depend. Craft *et al.* and Smith do not render obvious amended claims 1 and 13 or respective dependent claims 2-12 and 14-19.

The invention of claim 1 is, in pertinent part, a vent for septic system comprising a leg configured to mount on and conceal a portion of a conduit extending from the septic system. The invention of claim 13 is, in pertinent part, a method of concealing a conduit extending from a septic system comprising mounting a leg on the conduit. In claims 1 and 13, the leg is configured for mounting a fixture thereon.

In contrast to the invention of claims 1 and 13, Craft *et al.* describes a breather 12 that has a standpipe 18 threadingly received in a threaded region of cylindrical inner surface 97 of an annular protrusion 96 of a shift bar housing 16 of a transmission 10.

A difference between the disclosure of Craft *et al.* and the invention of claims 1 and 13 is that Craft *et al.* describes a standpipe 18 received in a cylindrical inner surface 97, while the invention of claims 1 and 13 are a leg configured to mount on and conceal a portion of a conduit extending from the septic system and a method of concealing a conduit extending from a septic system comprising mounting a leg on the conduit.

A significance of this difference is that the invention has structure that effects concealment, which is not suggested by Craft *et al.* In Craft *et al.*, breather 12 is inserted in a receiving cylindrical inner surface 97, not mounted over an extended conduit.

Another difference between the disclosure of Craft *et al.* and the invention of claims 1 and 13 is that Craft *et al.* makes no provision for mounting a fixture, such as a gazing ball, thereon. Smith does not remedy this deficiency.

The Office Action asserts that "it would have been obvious to a person having ordinary skill in the art . . . to provide a fixture as taught by Smith in the venting system of Craft since the fixture is served as a landscaping device adapted to fit over the septic system covers and vents . . ." However, a person having ordinary skill in the art of transmissions, the art in which falls Craft *et al.*, is unlikely to look to landscaping ornaments for guidance in fine tuning transmission equalizing mechanisms for lack of functional pertinence. The Smith cover is for covering, not equalizing. Covering is not pertinent to equalizing.

Second, nowhere does Craft *et al.* suggest that a transmission or equalizer would benefit from having an animal-shaped cover or any type of cover at all. Craft *et al.* does not suggest a cover.

Third, a person having ordinary skill in the art of transmissions would have no cause to implement ornamentation of any kind to disguise or hide an equalizing mechanism from the casual observer because a transmission is disposed deep in the belly of the vehicle that it serves, thus is not generally observable. Consequently, it would hardly be obvious to one of ordinary skill in the art of transmissions to combine Craft and Smith.

A significance of this difference is that the invention has structure that promotes displaying any of a variety of fixtures that, in addition to the concealment of an unsightly septic system vent by the leg, further enhances the visual splendor of a yard containing a vented septic system.

Craft *et al.* and Smith do not teach or suggest all the claim limitations of the invention of claims 1 and 13, therefore claims 1 and 13 and claims 2-12 and 14-19 dependent therefrom are allowable over Craft *et al.* Smith.

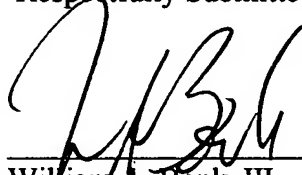
This Amendment is responsive to the outstanding Office Action. The Amendment does not add new matter. The Amendment does not raise new issues that require further consideration and/or

searching and is a *bona fide* effort to conclude prosecution of this Application. Applicants respectfully request entry and favorable consideration of the Amendment.

Applicants respectfully submit that this Application is in condition for allowance. If such is not the case, Applicants invite the Examiner to contact the undersigned to resolve remaining issues.

This paper was not filed within the shortened statutorily-prescribed time limit, thus is accompanied by a petition for the appropriate time extension and required fee. If filing this paper or any accompanying papers necessitates additional fees not otherwise provided for, please contact the undersigned immediately.

Respectfully Submitted,



William A. Bonk, III
Registration No. 40,521

5440 31st Street, N.W.
Washington, DC 20015
202/686-6084

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. Vent for septic system, including a conduit extending and configured to convey gas therefrom, comprising a leg configured to mount on, conceal a portion of[,], and convey gas from[,], the conduit;

wherein said leg is configured for mounting a fixture thereon.

13. Method of concealing a conduit extending and configured to convey gas from a septic system comprising:

sizing the conduit; then

mounting on the conduit a leg configured to convey gas from the conduit;

wherein said leg is configured for mounting a fixture thereon.